

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

GEOFF MCDONALD & ASSOCIATES, P.C.,)
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)
)
Plaintiff,)
)
)
v.)
)
BEASLEY, ALLEN, CROW, METHVIN,
PORTIS & MILES, P.C.,)
)
)
)
)
Defendant.)

NOTICE OF REMOVAL

The Defendant, Beasley, Allen, Crow, Methvin, Portis & Miles, P.C. (“Beasley Allen”), by counsel, removes this action pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1446.

1. Plaintiff, Geoff McDonald & Associates, P.C. (“GMA”), filed this action against Beasley Allen in the Circuit Court for the County of Henrico, Virginia on August 23, 2022. A copy of the Complaint is attached hereto as Exhibit 1.

2. Beasley Allen was served, through the Secretary of the Commonwealth, with a Summons and the Complaint on or about September 20, 2022. Removal is therefore timely under 28 U.S.C. § 1446.

3. This Court has diversity jurisdiction over this matter pursuant to 28 U.S.C. § 1332(a)(1) because there is complete diversity of citizenship between GMA and Beasley Allen, and the amount in controversy exceeds \$75,000, exclusive of exclusive of interest and costs.

4. GMA is a professional corporation formed pursuant to the laws of the Commonwealth of Virginia, with its principal place of business in Henrico County, Virginia. (Compl. ¶ 1.) Beasley Allen is a professional corporation formed pursuant to the laws of the

State of Alabama, with its principal place of business in Montgomery, Alabama, with offices in Mobile, Alabama, Dallas, Texas, and Atlanta, Georgia.

5. This Court is the proper district court for removal because the Circuit Court for the County of Henrico, Virginia is located within the geographical boundaries of the United States District Court for the Eastern District of Virginia, Richmond Division.

7. In compliance with 28 U.S.C. § 1446, Beasley Allen submits with this Notice of Removal all process, pleadings, and orders served upon it in this action. *See Exhibit 1.*

8. Beasley Allen will promptly file a copy of this Notice of Removal with the Circuit Court for the County of Henrico. Beasley Allen will serve Plaintiff with copies of this Notice of Removal and the Notice filed in the state court proceeding.

9. By virtue of this Notice of Removal and the Notice filed in the state court proceeding, Beasley Allen does not waive any defenses and/or other motions including, but not limited to, Rule 12 motions and/or other motions permitted by the Federal Rules of Civil Procedure.

10. Beasley Allen is the sole defendant in this action, and therefore, no other party is required to consent to removal.

WHEREFORE, the Defendant, Beasley Allen prays that this action be removed to this Court pursuant to 28 U.S.C. § 1441(a).

October 11, 2022

Respectfully Submitted,

**BEASLEY, ALLEN, CROW, METHVIN,
PORTIS & MILES, P.C.**

By: /s/ Edward E. Bagnell, Jr.
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CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of October, 2022, I sent a copy of the foregoing by U.S. Mail to counsel for the Plaintiff at the following address:

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